

AO 441 (Rev. 12/09) Summons on Third-Party Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of New York

Aldo Vera

Plaintiff

v.

HSBC Bank USA, N.A.

Defendant, Third-party plaintiff

v.

Banco Bilbao Vizcaya Argentaria, S.A., et al.

Third-party defendant

Civil Action No. 12 CV 1596 (AKH)

SUMMONS ON A THIRD-PARTY COMPLAINT

To: (Third-party defendant's name and address) ING Bank France, succursale de ING Bank N.V.
Couer Defense - Tour A - La Defense 4
110, Esplanade du General de Gaulle
92931 Paris La Defense Cedex
France

A lawsuit has been filed against defendant HSBC Bank USA, N.A., who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff Aldo Vera.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Phillips Lytle LLP (Attn: Paul K. Stecker, Esq.)
One Canalside, 125 Main Street
Buffalo, NY 14203

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

SEE ATTACHED FOR ATTORNEY INFORMATION

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may — but are not required to — respond to it.

Date:

MAR 12 2014
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RUBY J. KR
CLERK OF COURT



Signature of Clerk or Deputy Clerk

AO 441 (Rev. 12/09) Summons on Third-Party Complaint (Page 2)

Civil Action No. 12 CV 1596 (AKH)

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

RIDER TO THIRD-PARTY SUMMONS
(ATTORNEY INFORMATION)

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of the Estate and the Estate of Robert Otis
Fuller*

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*Attorneys for Alfredo Villoldo, individually,
and Gustavo E. Villoldo, individually, and as
Administrator, Executor, and Personal
Representative of the Estate of Gustavo
Villoldo Agrilagos*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALDO VERA, JR., as Personal Representative
of the Estate of Aldo Vera, Sr.,

Plaintiff,

v.

THE REPUBLIC OF CUBA,

Defendant.

12 CIV 1596 (AKH)

**ACKNOWLEDGMENT
OF SERVICE**

ALDO VERA, JR., as Personal Representative
of the Estate of Aldo Vera, Sr.; and

JEANETTE FULLER HAUSLER, and
WILLIAM FULLER as court-appointed
co-representatives of the ESTATE OF ROBERT
OTIS FULLER, deceased, on behalf of all
beneficiaries of the Estate and the ESTATE OF
ROBERT OTIS FULLER; and

ALFREDO VILLOLDO, individually and
GUSTAVO E. VILLOLDO, individually and
as Administrator, Executor, and Personal
Representative of the ESTATE OF
GUSTAVO VILLOLDO ARGILAGOS,

Petitioners,

v.

BANCO BILBAO VIZCAYA ARGENTARIA (S.A.);
BANK OF AMERICA N.A.; BANK OF NEW YORK
MELLON; BARCLAY'S BANK PLC;
CITIBANK N.A.; CREDIT SUISSE AG, NEW YORK
BRANCH; DEUTSCHE BANK TRUST COMPANY
AMERICAS; HSBC BANK (HSBC BANK USA, N.A.);
INTESA SANPAOLO S.P.A.; JP MORGAN CHASE
BANK, N.A.; RBS CITIZENS, N.A.; ROYAL BANK
OF CANADA; SOCIETE GENERALE; UBS AG;

WELLS FARGO BANK, N.A.; BROWN BROTHERS
HARRIMAN & CO.; MERCANTIL
COMMERCEBANK, N.A.; STANDARD CHARTERED
BANK; AND BANCO SANTANDER, S.A.,

Respondents/Garnishees.

HSBC BANK USA, N.A.,

Respondent-Garnishee and
Stakeholder/Third-Party Petitioner,

v.

BANCO BILBAO VIZCAYA ARGENTARIA, S.A.,
BANCO INTERNACIONAL DE COMERCIO, S.A. and
ING BANK FRANCE, SUCCURSALE
DE ING BANK N.V.,

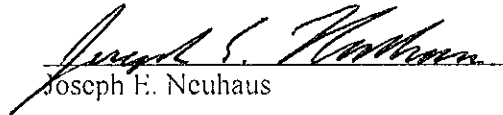
Third-Party Respondents/
Adverse Claimants.

The undersigned, Joseph E. Neuhaus, states as follows:

1. I am a member of the firm of Sullivan & Cromwell, which has been authorized by ING Bank France, Succursale de ING Bank N.V. ("ING Bank France") to enter into this Acknowledgment of Service on its behalf.
2. ING Bank France acknowledges service of (a) the Third-Party Petition Alleging Claims in the Nature of Interpleader filed by HSBC Bank USA, N.A. on March 12, 2014 (docket entry 451), and (b) the accompanying Summons on Third-Party Complaint, with the understanding that service will be deemed to have been completed on May 29, 2014, and that no response will be due before June 19, 2014.

3. ING Bank France waives any defenses of insufficient process or insufficient service of process, including any defenses based on (a) the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents or (b) the requirements of French law for the form, or method of service, of process. ING Bank France does not waive any other defenses, nor does this Acknowledgment of Service constitute an appearance on behalf of ING Bank France.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 21, 2014.


Joseph E. Neuhaus

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Doc #01-2770503.1